

Membership Balance Plan
Board of Visitors for the Western Hemisphere Institute for Security Cooperation

Agency: Department of Defense (DoD)

- 1. Authority:** The Secretary of Defense, under the provisions of 10 U.S.C. § 2166(e), the Federal Advisory Committee Act (FACA) of 1972, (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(a) (required by statute), established the Board of Visitors for the Western Hemisphere Institute for Security Cooperation (hereafter referred to as “the Board”).
- 2. Mission/Function:** The Board, under the provisions of 10 U.S.C. § 2166(e) and FACA, shall provide independent advice and recommendations to the Secretary of Defense, through the Secretary of the Army, on matters pertaining to the operations and management of the Institute and shall:
 - a. Inquire into the curriculum instruction, physical equipment, fiscal affairs, and academic methods of the Institute; other matters relating to the Institute that the Board decides to consider; and any other matter that the Secretary of Defense determines appropriate.
 - b. Review the curriculum to determine whether it adheres to U.S. doctrine, complies with applicable U.S. laws and regulations, and is consistent with U.S. policy goals toward Latin America and the Caribbean.
 - c. Determine whether the Institute emphasizes human rights, including the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.
- 3. Points of View:** The Board shall be comprised of no more than 14 members; 6 of which, to the extent practicable, will have professional experience in academia, religion, and human rights. The remaining members, pursuant to 10 U.S.C. § 2166(e), shall include the following Federal ex-officio members:
 - a. The Chairs and Ranking Members of the Armed Services Committees for the House and Senate (or their designees);
 - b. One member designated by the Secretary of State;
 - c. The senior military officer responsible for training and education in the U.S. Army (or designee); and
 - d. The Combatant Commanders with geographic responsibility for the Western Hemisphere (U.S. Northern and Southern Command) (or designees).

The Department of Defense, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Board. The Department has found that viewing the complex issues facing the Institute through a multidiscipline advisory committee provides the Department and, more importantly, the American public, with a broader understanding of the issues on which to base subsequent policy decisions.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and to

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serve as special government employees. Board members shall be appointed on an annual basis by the Secretary of Defense.

The Board's membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor. In addition, the Department, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

4. Other Balance Factors: N/A

5. Candidate Identification Process: The Department, in selecting potential candidates for this advisory committee, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of academia, religion, and human rights. Potential candidates are identified by the Board's professional staff, current or departing Board members, and in some instances, by senior DoD officials.

Once potential candidates are identified, the Designated Federal Officer and the staff, in consultation with the Board's Chairperson, reviews the credentials of each individual and narrows the list of potential candidates and forwards the list to the Secretary of the Army. During the Secretary of the Army review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the subject matters that he or she anticipates will be reviewed by the Board to achieve expertise in points of view regarding anticipated topics.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the DoD Office of General Counsel and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements; for example, compliance with the advisory committee's charter and membership balance plan. Following this review, the Secretary of the Army formally nominates the potential candidates to the Secretary of Defense for approval; pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the DoD.

Following Secretary of Defense or Deputy Secretary of Defense approval, the approved candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Board and subcommittee member vacancies will be filled in the same manner as described in the previous five paragraphs above.

The Secretary of Defense may approve the appointment of Board members for one to four year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees.

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- 6. Subcommittee Balance:** The Department, when necessary, and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees deemed necessary to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the advisory committee's sponsor.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as Board appointments are made, and these individuals may come from the parent committee or new nominees, as recommended by the advisory committee's sponsor and based upon the matters under consideration.

As required by the Board's charter, these subcommittees operate under the provisions of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies/procedures.

- 7. Other:** The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's prohibition against registered Federal lobbyists.
- 8. Prepared:** March 26, 2012